

APPLICANT(S): E. Amitay
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 37 – 45 and 56 -63 are pending in the application and have been rejected.

In order to more particularly point out and distinctly claim the Invention, Claims 37 and 56 were amended and Claim 64 has been added. The term “index” was more completely defined, consistent with its usage and meaning in the Specification. New matter was not added.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected the claims 37 - 45 and 56 - 62 under 35 U.S.C. § 103(a), as being unpatentable over Prokoph (US Patent Publication 2002/0091671) in view of Cole (US Patent 6,571,239) and rejected claims 63 under 35 U.S.C. § 103(a), as being unpatentable over Prokoph and Cole in view of Mittal (US Patent Publication 2004/0261021). Applicant respectfully traverses these rejections in view of the remarks that follow.

Mittal is not prior art. Its filing date is September 30, 2003, which is not more than a year before the December 22, 2003 filing date of this application. While Mittal is described as a continuation-in-part application of earlier filed applications, the Examiner has not demonstrated that the relied upon disclosure from Mittal is entitled to the earlier filing date and was disclosed in the earlier applications. Hence it may not be utilized in any rejection.

Prokoph is not relevant to the herein claimed invention. This is because he does not deal with web indices. In fact, he is very specific that he is not dealing with them (see

Paragraph 6) and teaches away from the instant Invention. Thus, not only does Prokoph not discuss the 3rd step in the method “adding information from at least some of said user queries to said enhanced web index,” but he also fails to teach or disclose the 2nd step “searching an enhanced web index.” He does not address web indices, so he obviously does not teach updating them.

It needs to be understood that, as explained in the Specification (see Paragraph 2 *et seq*), when the word “index” is used, it is a term of art. As recited in claims 36 and 56, the “web index” is supplemented with “query words” created by users. Thus, these query words become part of the web index and will more readily identify the relevant document when future queries are made with this language. Claims 36 and 56 have now been amended to better specify the type of index that is covered by the herein Invention.

Claim 37 of the present application includes 3 method steps, where the 3rd method step recites: “adding information from at least some of said user queries to said enhanced web index.”

Since the Examiner concedes that the first two method steps are neither disclosed nor suggested by Prokoph (Pages 3 and 8 of the Action), this reference does not anticipate or obviate the herein claimed Invention.

Cole does not deal with adding information to a web index. Instead, Cole “provides methods ... which solve the problem of mismatch between the keywords employed by a user in making a query and those assigned by the ... classification system stored in the system's keyword index. ... If in a query session the user is satisfied with the object(s) retrieved from the repository, the system associates the initial keywords(s) with the retrieved object(s). ... The keyword index is modified directly ...” (Column 1, lines 6- 10).

In particular, Cole is working with a “keyword index” as opposed to a “web index.” These are two entirely different types of indices with very different purposes.

As defined by Cole, “Whether the classification is manual or automatic, in either case the result is a keyword list with associated data that can be used to retrieve relevant objects for a user query. ... each word or phrase in the keyword list points to a list of objects which were classified by that word or phrase, and that list of objects is returned when the query

contains that word or phrase. ..." (Column 1, lines 36- 47). This is contrasted with the herein Application where there is a clear description that it is dealing with a web index.

With this background in mind, Cole's summary of the invention can be understood. When it says "the present invention provides a method... to modify the associations between objects in the database and keywords in the index, based on keywords supplied by the user during a search session," (Column 2, lines 5 -11), it means that the keyword index is changing. Nowhere does Cole teach or suggest that the web index itself is modified to add or change the query words.

As explained in detail by Cole: "An example of a system implementing the present invention includes the parts shown in FIG. 1. ... The queries are passed to a Receiver (105). When the first query arrives from a user, the Receiver initializes a session log, and associates the log with this first query. .. Under Alternative A, the Receiver passes the query to a Search Engine (110), which matches the query against the (modified) Keyword Index (120). The keywords in the Keyword Index (120) are associated with one or more objects in the Repository (115). If the query matches one or more keywords in the Index (120), the data objects associated with those keywords, or a description of these objects, such as a hitlist of titles, thumbnails, etc., are retrieved from the Repository and returned to the Search Engine (110). The Search Engine (110) in turn passes them to the user interface (100). In Alternative B, where the Keyword Index does not change, the Receiver (105) passes the query to the Updating Module (125) besides passing it to the Search Engine (110). The Updating Module (125) matches the query against the Auxiliary Index (140), using a matching identical or similar to the matching done by the search engine. The Auxiliary Index (140) includes keywords associated with data objects in the Repository. In some embodiments, the Auxiliary Index (140) has the same structure as the Keyword Index (120). Under Alternative B, both the Search Engine (110) and the Auxiliary Index (140) return the relevant data objects (or descriptions) to Responder (135). The Responder (135) merges the two lists and passes the combined result to the user interface (100)." (Column 3, lines 1 – 39)

It is clear that, by the "Repository 115", Cole is referring to what Applicants call the web index. Instead of adding the query words to it, Cole is adding the query words to his keyword list in his search engine. Accordingly, it is clear that Cole does not teach or suggest

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“adding information from at least some of said user queries to said enhanced web index.”
Cole adds nothing to the web index (what he calls a Repository).

Accordingly, Applicant asserts that Prokoph in combination with Cole neither teaches nor suggests the limitations of claims 37 or 56. Accordingly, Applicant respectfully asserts that independent claims 37 and 56 are allowable. Claims 38 – 45 and 57 – 63 depend from, directly or indirectly, claims 37 and 56 and therefore include all the limitations of those claims. Therefore, Applicant respectfully asserts that claims 38 – 45 and 57 – 63 are likewise allowable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections to claims 38 – 45 and allow claims 38 – 45 and 57 – 63 and new claim 64.

In view of the foregoing amendments and remarks, the ending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,

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